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Attorneys for Plaintiff JOSE ANTONIO GARCIA

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

JOSE ANTONIO GARCIA,

Plaintiff,

v.

COUNTY OF ALAMEDA and YESENIA L.
SANCHEZ, Sheriff of Alameda County, in her
official capacity,

Defendants.

Case No. 3:24-cv-03997-RS

**DECLARATION OF ANN CAPPETTA IN
SUPPORT OF PLAINTIFF'S MOTION
FOR PRELIMINARY INJUNCTION**

Date: September 5, 2024

Time: 1:30 p.m.

Judge: Honorable Richard Seeborg

Ctrm: Courtroom 3 – 17th Floor

I, ANN CAPPETTA, declare as follows:

1. I am a member in good standing of the State Bar of California, a Legal Fellow with the First Amendment Coalition, and one of the counsel of record for Plaintiff in this action. I make this declaration based on personal knowledge, and if called as a witness I could and would testify competently to the facts stated herein.

2. On or about June 6, 2023, President of the Board of Supervisors of the County of Alameda ("County") Nathan A. Miley and County Sheriff Yesenia L. Sanchez submitted a letter to the County Board of Supervisors proposing it adopt an ordinance prohibiting spectators at sideshows. The County posted a copy of this letter linked in the agenda for its June 13, 2023

1 Regular Board of Supervisors Meeting.¹ A true and correct copy of this letter is attached hereto as
2 **Exhibit 3.**

3 I declare under penalty of perjury under the laws of the United States of America that the
4 foregoing is true and correct and that this declaration was executed in Sacramento, California on
5 July 23, 2024.

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8 ANN CAPPETTA
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28 ¹https://www.acgov.org/board/bos_calendar/documents/DocsAgendaReg_06_13_23/GENERAL%20ADMINISTRATION/Regular%20Calendar/President%20Miley_Sheriff_352075.pdf